

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	
v.)	CRIMINAL NO. 04-10294-GAO
)	
DWIGHT COLE)	

MOTION TO CONTINUE HEARING

Defendant Dwight Cole, by his counsel, respectfully moves to continue the Rule 11 proceeding in this matter, now scheduled for October 11, 2005. As undersigned counsel earlier notified the Court, Mr. Cole has been released from in-patient rehabilitation at the Hancock Skilled Nursing facility. Undersigned counsel spoke with Judy Oxford of Pretrial Services, who said that Mr. Cole would be living at his old address, 15A Bowdoin Avenue, Dorchester, but in a new apartment with no phone. Undersigned counsel sent a letter to the address, but only moments ago received it back undelivered. Counsel called Ms. Oxford of Pretrial, who is going to check the placement address with the rehabilitation facility.

As a result of this unforeseen difficulty, undersigned counsel needs additional time to meet with his client and to prepare for the hearing. This counsel has attempted to obtain the assent of the Assistant United States Attorney, but is notified that she is unavailable until Tuesday, October 11.

Defendant moves to exclude any time permitted to the next hearing in the interest of justice.

DWIGHT COLE
By his attorney,

/s/ Charles P. McGinty

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October 6, 2005